

10/29/93

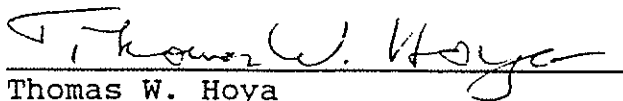
UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
BEFORE THE ADMINISTRATOR

In the Matter of )  
JEM Mechanical Services, Inc., ) Docket No. TSCA-V-C-46-90  
Respondent )

ORDER

Complainant's Motion to Strike Answer is denied. As its argument for striking the Answer, Complainant asserted that it is uncertain as to Respondent's representation in this case now that Respondent's counsel has withdrawn. But that situation fails to supply a reason for striking an answer that was validly filed by that counsel while he was representing Respondent. Accordingly, as stated, Respondent's Motion is denied.

Respondent is ordered to report by November 30, 1993 the identity of its representation in this case. Representation may consult Section 22.10 of the Agency's Consolidated Rules of Practice (40 C.F.R. § 22.10); and Respondent is reminded of the obligation imposed by Section 22.05(c)(4) of these Rules (40 C.F.R. § 22.05(c)(4)). Respondent is further advised that a failure to respond to this Order may be treated as a default under Section 22.17(a) of the Rules (40 C.F.R. § 22.17(a)).

  
Thomas W. Hoya  
Administrative Law Judge

Dated: October 29, 1993

IN THE MATTER OF JEM MECHANICAL SERVICES, INC., Respondent,  
Docket No. TSCA-V-C-46-90

Certificate of Service

I certify that the foregoing Order, dated October 29, 1993, was sent this day in the following manner to the addressees listed below.

Original by Regular Mail to:

Marie Hook  
Regional Hearing Clerk  
U.S. Environmental Protection  
Agency, Region V  
77 West Jackson Boulevard  
Chicago, IL 60604-3590

Copy by Regular Mail to:

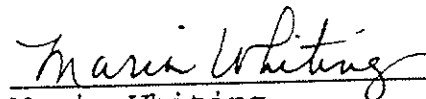
Counsel for Complainant:

Patricia Cosgrove, Esquire  
Assistant Regional Counsel  
U.S. Environmental Protection  
Agency, Region V  
77 West Jackson Boulevard  
Chicago, IL 60604-3590

Copy by Certified Mail to:

Respondent:

Mr. James E. McGlenn, Pres.  
Jem Mechanical Services, Inc.  
4500 West Mitchell Street  
West Milwaukee, WI 53214



Maria Whiting  
Legal Staff Assistant

Dated: October 29, 1993